

AMENDMENTS TO THE CLAIMS

1-3 (Canceled)

4. (Previously Presented) A surveying instrument comprising:

a sighting telescope having an objective lens and an eyepiece;

an erecting optical system functioning so that an image formed by said objective lens is viewed as an erect image through the eyepiece; and

a light shield device, positioned in an optical path extending from an incident surface of said erecting optical system to an exit surface of said erecting optical system, for preventing an off-field light bundle which is incident on said erecting optical system from reaching said eyepiece,

wherein said light shield device comprises a light shield mask fixed to said incident surface of said erecting optical system, said light shield mask including an aperture which allows image forming light to pass therethrough, said aperture being shaped so as to be asymmetrical with respect to an optical axis incident on said incident surface of said erecting optical system.

5. (Original) The surveying instrument according to claim 4, wherein a first length of said aperture from the incident optical axis to a first side, at which an optical path length between said incident surface and a first reflection surface of said erecting optical system is shortest, is shorter than a second length of said aperture from the incident optical axis to a second side at which an optical path length between said incident surface and said first reflection surface is longest.

6. (Previously Presented) A surveying instrument comprising:
a sighting telescope having an objective lens and an eyepiece;
an erecting optical system functioning so that an image formed by said objective lens is viewed as an erect image through the eyepiece; and

a light shield device, positioned in an optical path extending from an incident surface of said erecting optical system to an exit surface of said erecting optical system, for preventing an off-field light bundle which is incident on said erecting optical system from reaching said eyepiece,

wherein said erecting optical system comprises two cemented prisms, and wherein said light shield device comprises a recessed portion formed on a common edge of the cemented surface of the two cemented prisms.

7. (Previously Presented) A surveying instrument comprising:

a sighting telescope having an objective lens and an eyepiece;

an erecting optical system functioning so that an image formed by said objective lens is viewed as an erect image through the eyepiece; and

a light shield device, positioned in an optical path extending from an incident surface of said erecting optical system to an exit surface of said erecting optical system, for preventing an off-field light bundle which is incident on said erecting optical system from reaching said eyepiece,

wherein said erecting optical system comprises two cemented prisms, and wherein said light shield device comprises a beveled surface formed on a common edge of the cemented surface of the two cemented prisms.

8. (Previously Presented) A surveying instrument comprising:

a sighting telescope having an objective lens and an eyepiece;

an erecting optical system functioning so that an image formed by said objective lens is viewed as an erect image through the eyepiece; and

a light shield device, positioned in an optical path extending from an incident surface of said erecting optical system to an exit surface of said erecting optical system, for preventing an off-field light bundle which is incident on said erecting optical system from

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reaching said eyepiece,

wherein said light shield device is formed by an extended portion of said erecting optical system on said incident surface thereof, said extended portion on said incident surface being deformed to extend toward said objective lens side so that said off-field light bundle which is reflected by a first reflection surface of said erecting optical system is prevented from being incident on a second reflection surface of said erecting optical system and being allowed to exit from said erecting optical system via said extended portion.

9. (Canceled)

10. (Previously Presented) The surveying instrument according to claim 4, wherein said erecting optical system comprises a Porro prism.

11. (Previously Presented) The surveying instrument according to claim 4, wherein said erecting optical system comprises a roof prism.

12. (Withdrawn) A surveying instrument comprising:

a sighting telescope having an objective lens and an eyepiece;

a semitransparent film positioned between said objective lens and said eyepiece;

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a focus detecting device which receives light which is passed through said semitransparent film to detect a focus state of said sighting telescope; and

a light shield device, positioned in an optical path extending from said semitransparent film to said focus detecting device, for preventing an off-field light bundle which is incident on said semitransparent film from reaching said focus detecting device.

13. (Withdrawn) The surveying instrument according to claim 12, further comprising an erecting optical system functioning so that an image formed by said objective lens is viewed as an erect image through the eyepiece, said semitransparent film being formed on a reflection surface of said erecting optical system.

14. (Withdrawn) The surveying instrument according to claim 13, wherein said light shield device comprises a light shield mask fixed to an incident surface of said erecting optical system.

15. (Withdrawn) The surveying instrument according to claim 13, further comprising a beam splitting prism which is provided separately from said erecting optical system and cemented to said semitransparent film, said light shield device being fixed to said beam splitting prism.

16. (Withdrawn) The surveying instrument according to claim 15, wherein said semitransparent film is formed on a first reflection surface of said erecting optical system, said beam splitting prism being cemented to said first reflection surface wherein said semitransparent film being positioned between said beam splitting prism and said first reflection surface.

17. (Withdrawn) The surveying instrument according to claim 15, wherein said semitransparent film is formed on a second reflection surface of said erecting optical system, said beam splitting prism being cemented to said second reflection surface wherein said semitransparent film being positioned between said beam splitting prism and said second reflection surface.

18. (Withdrawn) The surveying instrument according to claim 12, further comprising an erecting optical system functioning so that an image formed by said objective lens is viewed as an erect image through the eyepiece; and

a beam splitting prism provided separately from said erecting optical system;
wherein said semitransparent film is formed on said beam splitting prism.

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19. (Withdrawn) The surveying instrument according to claim 18, wherein said light shield device is fixed to an exit surface of said beam splitting prism.

20. (Withdrawn) The surveying instrument according to claim 12, wherein said focus detecting device comprises a phase-difference detection focus detecting device.

21. (Withdrawn) The surveying instrument according to claim 12, wherein said focus detecting device comprises a contrast detecting focus detecting device.

22. (Withdrawn) The surveying instrument according to claim 12, wherein said erecting optical system comprises a Porro prism.

23. (Withdrawn) The surveying instrument according to claim 12, wherein said erecting optical system comprises a roof prism.

24. (Previously Presented) The surveying instrument according to claim 4, wherein said sighting telescope comprises a focus adjustment lens positioned between said objective lens and said erecting optical system.

25. (Withdrawn) The surveying instrument according to claim 12, wherein said sighting telescope comprises a focus adjustment lens positioned between said objective lens and said erecting optical system.

26. (Withdrawn) The surveying instrument according to claim 15, wherein said beam splitting prism comprises a right-angle prism.

27. (Withdrawn) The surveying instrument according to claim 18, wherein said beam splitting prism comprises a right-angle prism.

28. (Original) The surveying instrument according to claim 10, wherein said Porro prism comprises three right angle prisms.

29. (Withdrawn) The surveying instrument according to claim 22, wherein said Porro prism comprises three right angle prisms.